

SUMMARY OF INTERVIEW

Attendees, Date and Type of Interview

Applicants thank Supervisor David Isabella and Examiner Ann Schillinger for the courtesy extended during the telephonic interview conducted with Applicants Representative Daniel Hart on March 19, 2009.

Exhibits and/or Demonstrations

None

Identification of Claims Discussed

Claims 21-35 were discussed.

Identification of Prior Art Discussed

Moe et al., Angell et al.

Proposed Amendments

None

Principal Arguments and Other Matters

Applicants' representative pointed out that the Final Office Action mailed January 28, 2009 cited a new reference, Angell et al., which was not necessitated by claim amendments in the Response to the previous Office Action. In particular, as discussed in more detail below, Applicants representative noted that the Response to the previous Office Action did not introduce any amendments to the claims.

Applicants' representative also pointed out that the combination of Moe et al. and Angell et al. does not teach or suggest all the elements recited in the currently pending claims. In particular, this combination of references does not teach or suggest devices comprising at least one intraparietal reinforcement device comprising a rod implanted in said tubular outer wall of an aortic valve, the rod penetrating the thickness of the tubular outer wall of the aortic valve.

In addition, as discussed in more detail below, Applicants representative pointed out that the Declaration submitted with the Response to the previous Office Action was not rendered moot by the Angell et al. reference. Applicants' representative further pointed out that the

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Examiner provided no basis for the assertion that a device resulting from the combination of Moe et al. and Angell et al. would work for 1-2 years and that a device which worked for 1-2 years was useful. Finally, Applicants representative pointed out that it would not be obvious to one of skill in the art to combine the devices disclosed in Moe et al. and Angell et al. because, as asserted in the Declaration submitted with the previous Response, the resulting device would be expected to fail.

Results of Interview

The Examiner requested that Applicants provide the foregoing arguments regarding the finality of the current Office Action in this Response and agreed to consider whether to withdraw the finality of the Office Action. In a voice-mail received March 26, 2009, the Examiner advised Applicants' representative that she agreed to withdraw the finality of the Office Action.

The Examiner agreed that the foregoing arguments regarding the non-obviousness of the currently claimed invention appeared to be persuasive pending further review.